

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

JEFFREY S. WHITAKER,

Petitioner,

v.

SHAWN PHILLIPS,

Respondent.

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No.: 3:17-CV-178-TAV-HBG

ORDER

In accordance with the accompanying memorandum opinion, Petitioner's pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 [Doc. 2] and his motion to amend [Doc. 27] are **DENIED**, and this action is **DISMISSED**. The Clerk is **DIRECTED** to close the civil file.

Also, for the reasons set forth in the accompanying memorandum opinion, a certificate of appealability will **NOT ISSUE**. Therefore, Petitioner is **DENIED** leave to proceed *in forma pauperis* on any subsequent appeal. 28 U.S.C. § 2253; Fed. R. App. P. 22(b).

IT IS SO ORDERED.

ENTER:

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT
s/ John L. Medearis
CLERK OF COURT